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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED
2008 JAN 14 AM 10:
CLERK US DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY KNH DEPUTY

UNITED STATES OF AMERICA, Plaintiff,	)	Magistrate Docket No. '08 MJ 0092
v.	)	COMPLAINT ~~FOR~~ VIOLATION OF:
Manuel REGALADO-Vasquez, Defendant	)	Title 8, U.S.C., Section 1326 Deported Alien Found in the United States

The undersigned complainant, being duly sworn, states:

On or about **January 13, 2008** within the Southern District of California, defendant, **Manuel REGALADO-Vasquez,** an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **14th** DAY OF **JANUARY 2008**

Nita L. Stormes
UNITED STATES MAGISTRATE JUDGE

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CONTINUATION OF COMPLAINT:
Manuel REGALADO-Vasquez

PROBABLE CAUSE STATEMENT

On January 13, 2008 at approximately 12:35 a.m., Border Patrol Agent J. Sanchez was advised via service radio that the west scope operator had spotted one individual hiding on the beach, near an area known as the "Horse Trail". This area is approximately six miles west of the San Ysidro Port of Entry and approximately three hundred yards north of the United States/ Mexico International border.

After following directions from the west scope operator, Agent Sanchez found an individual attempting to hide. Agent Sanchez identified himself as a U.S. Border Patrol Agent and questioned the individual as to his citizenship and nationality. The individual later identified as the defendant **Manuel REGALDO-Vasquez** freely admitted to being a citizen and national of Mexico illegally present in the United States. At approximately 12:40 a.m., the defendant was arrested and transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to **Mexico** on **November 13, 2007** through **Del Rio, Texas.** These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.